



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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Albuquerque, New Mexico 87103



In Reply Refer To:
FWS/R2/NWRS/Coastal TX/066633

Mr. Paul Enriquez
Real Estate and Environmental Branch Chief
U.S. Customs and Border Protection
1300 Pennsylvania Avenue NW
Washington, DC 20229

Dear Mr. Enriquez:

Thank you for your letter dated August 25, 2017, regarding U.S. Customs and Border Protection's (CBP) proposed border infrastructure in South Texas which includes the installation of 35 gates in existing border fence gaps, 32 miles of bollard wall, and 28 miles of levee wall. The U.S. Fish and Wildlife Service (Service) reviewed your letter and is providing our initial concerns related to Federally listed species, other Federal trust resources, and Santa Ana and Lower Rio Grande Valley National Wildlife Refuges (NWR). Once there is a proposed action, that is spatially explicit, we can provide a formal response and coordination under the National Environmental Policy Act, National Wildlife Refuge System (Refuge System) Improvement Act, Migratory Bird Treaty Act, and Endangered Species Act.

Over the past several years, there has been a substantial increase in coordination between the Service, CBP, and the U.S. Border Patrol Rio Grande Valley Sector along the Texas border. The Service appreciates the excellent communication and information sharing that has occurred and looks forward to maintaining this relationship into the future.

The Refuge System lands in the Lower Rio Grande Valley are considered to be one of the most biodiverse in the continental United States. The Service supports CBP addressing direct and indirect impacts of the proposed border activities on Federally listed species and other Federal trust resources in the project area. In general, concerns are similar to those discussed during initial border wall/fence construction in 2008. The Service will continue to work with CBP on the proposed activities, with a focus on ensuring impacts to Santa Ana and Lower Rio Grande Valley NWRs and its ecotourism-based economy are analyzed and minimized, to the extent possible.

In response to the possible components of the proposed action identified in your letter, the Service's informal comments are as follows:

Levee and bollard walls

In general, the Service recommends considering technology, additional border patrol agents and other mechanisms, when possible, instead of installation of levee or bollard walls.

Connectivity

The Service understands that 10.2 miles of border wall will be constructed on Santa Ana and Lower Rio Grande Valley NWRs in Hidalgo County, Texas. The Service does not currently have information on specific alignments on Lower Rio Grande Valley NWR in Starr County. Currently, there are 34 miles of existing levee wall in Hidalgo County; the proposed 28 mile addition would result in 62 miles of impermeable barrier, precluding access to habitats by the Federally listed endangered ocelot and jaguarundi, along with other terrestrial species. Reduction of habitat connectivity in portions of the existing wildlife corridor will affect ocelot and jaguarundi movement, impact access to traditional water sources, and reduce potential for gene flow. The Service recommends wildlife openings to allow ocelots, jaguarundis and other wildlife to move through the wall to maintain habitat connectivity.

In Hidalgo County, Santa Ana NWR will be bisected, with substantial acreage south of the proposed wall and less acreage north of the wall. Any acres north of the wall that do not have habitat corridors will represent a direct loss of habitat particularly for ocelots and jaguarundis on refuge land in Texas. The Service requests CBP document and assess these impacts for Starr County when the border wall alignments are determined.

Flooding

The Lower Rio Grande Valley is a flood-prone area. The Service is concerned the levee wall in Hidalgo County could be subject to catastrophic natural flood events, leaving terrestrial wildlife trapped behind the levee wall to drown or starve. This project will likely cause widespread mortality for terrestrial organisms during catastrophic flood events. The Service recommends an assessment of escape routes and consideration of constructing elevated berms south of the levee to allow terrestrial animals to retreat from rising waters during flooding events, as well as leaving the gates open during those events.

Fire

The Santa Ana and Lower Rio Grande Valley NWRs experience numerous wildfires each year. Fighting wildfire is dangerous, particularly if escape routes are limited due to a border wall. Natural resource protection may be impacted due to public safety and challenges of fighting wildfires south of a border wall.

Direct Mortality

The Service requests best management practices, such as capping hollow bollard/posts, during construction to prevent entrapment of wildlife species during placement of vertical posts/bollards.

Socio-economic & Visitor Impacts

The Service is specifically concerned with potential tourism and visitor impacts. Ongoing efforts by the Service, the state of Texas, private landowners, and non-profit organizations have helped create a wildlife corridor linking numerous isolated habitat fragments in the Lower Rio Grande Valley. These efforts have helped produce habitats that are harboring unique species of plants and animals, making the area a destination for ecotourists.

The economics of Lower Rio Grande Valley wildlife and habitat diversity are important to the international border region, as over 150,000 tourists contribute approximately \$10.8 million annually to the regional economy. The Santa Ana NWR is the most accessible public land for residents of Hidalgo County and approximately 70 percent of visitors come from outside of the local area. Visitors participating in outdoor recreational activities economically benefit the local community. The Service recommends a socio-economic analysis of the proposed wall.

Construction of the border wall, as proposed, will likely affect visitation and the quality of visitor experience. Construction of the border wall along the levee will separate the Santa Ana NWR visitor

center and all administrative facilities (equipment storage, residences, parking lots, etc.) from the rest of the refuge (99 percent of refuge lands). The proposal could result in visitors entering and exiting Santa Ana NWR through a large gate, similar to going through a security checkpoint. This could result in a reduction in visitation due to a perceived unsafe and unwelcoming atmosphere.

Enforcement Zones

Construction of a 150-foot enforcement zone will directly remove habitat. The enforcement zone will also create barriers and restrict wildlife movement, especially for species such as ocelots, which require dense brush to travel through. The Service recommends minimizing this zone, as operations allow, especially in and near thick thornscrub and walking trails. We also recommend calculating the direct habitat loss of the 150-foot enforcement zone based on a vegetation and endangered species survey. The proposed cleared enforcement zone in Hidalgo County will directly remove approximately 170 acres of habitat from Lower Rio Grande Valley and Santa Ana NWRs reducing the ability to meet refuge purposes. In Hidalgo County, Refuge System lands will have approximately 7,800 acres south of the proposed wall and 2,400 acres north of the wall. The 2,400 acres represent a direct loss of habitat for ocelots and jaguarundis on Refuge System lands in Texas.

Lighting

Increased lighting at night, along the wall, will likely have negative impacts on ocelot, jaguarundi and other nocturnal species by making them more susceptible to predation. The Service recommends down shielding lights to focus away from thornscrub habitat and shining lights only within the enforcement zone. The Service recommends CBP continue to analyze the effects of lighting to nocturnal wildlife and work with the Service to minimize impacts.

All Weather Roads

The Service recommends the width of all roads created or maintained by CBP be measured and recorded using Geographic Information System (GPS) coordinates and integrated into the CBP GPS database. The Service suggests maintenance actions not increase the width of the roadbed or the amount of disturbed area beyond the roadbed. The all-weather road within the enforcement zone is capable of high speed use, causing concern for public safety and increased wildlife mortality. The Service requests coordination to address speeding issues.

We appreciate the opportunity to provide informal comments and look forward to future opportunities to discuss the proposed project. Please feel free to contact me at 505-248-6282 if I can be of further assistance.

Sincerely,

Regional Director

cc: Field Supervisor, Texas Coastal Ecological Services Field Office, Houston, Texas
Refuge Manager, South Texas National Wildlife Refuge Complex, Alamo, Texas
Inter-agency Borderlands Coordinator, Department of Interior Washington, D.C.
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